

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9502 of 2016
Decided on : 16.05.2016

Dharminder Singh & others

... Petitioners

Versus

State of Punjab & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr.Vivek Sharma, Advocate, for the petitioners.

G.S. Sandhawalia , J. (Oral)

Petitioners seek the allotment of GPF account number, so that they become entitled for the old regular pension and other retiral benefits. Reliance has been placed upon judgment of the Division Bench in **Harbans Lal Vs. State of Punjab & others 2012 (3) SCT 362**, which has been further upheld by the Apex Court and the review has been dismissed.

Counsel for the petitioners submits that the petitioners had joined in the year 1998-99 with the respondents on contract basis. Copy of one of the appointment letters dated 01.12.1998, is attached as Annexure P1. They were subsequently regularized w.e.f. 01.04.2011 vide letter dated 28.06.2011 (Annexure P3). In the said regularization letter, the appointment was to be governed by the new defined contributory pension scheme. It is, accordingly, submitted that representation dated 16.03.2016 (Annexure P5) has been filed by petitioners No.1 to 7, though not on behalf of petitioner No.8. It is submitted that the petitioners would be satisfied if a decision is taken, in principle, on this issue, keeping in view the binding precedent of the Division Bench.

Notice of motion.

Mr.R.S.Sidhu, AAG, Punjab accepts notice on behalf of the respondents. Copy of the paperbook has been supplied to him.

Keeping in view the limited relief sought, this Court does not feel it necessary to ask the respondents to file reply.

Accordingly, without commenting upon the merits of the case and the entitlement of the petitioners, the present writ petition is disposed of, with a direction to respondent No.1, to decide the said claim, within a period of 3 months from the date of receipt of the certified copy of this order. In case the benefit is to be denied, a speaking order be passed and the same be conveyed to the petitioners.

MAY 16, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE